

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Cleveland Davis

Docket No. 5:13-MJ-1656-1

Petition for Action on Probation

COMES NOW Tiffany C. Peacock, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Cleveland Davis, who, upon an earlier plea of guilty to DWI- Level 1, in violation of 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable Kimberly A. Swank, U.S. Magistrate Judge, on January 6, 2016, to 12 months probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: During the period of probation, Davis failed to satisfy the court ordered monetary obligation due to financial difficulties. Mr. Davis is the sole provider for his entire family and is barely making ends meet. We recommend that the term of probation be extended for a period of three months to allow him additional time to pay his monetary obligations. Additionally, the defendant has one additional weekend in custody to complete. It is unlikely that a placement will be secured prior to his scheduled expiration date. The defendant has completed all other conditions that were originally ordered, and feels confident that he will be able to pay a large portion of his fine within three months.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

That the term of probation be extended for a period of 3 months from the expiration date of January 5, 2017, until April 5, 2017.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Eddie J. Smith

Eddie J. Smith
Supervising U.S. Probation Officer

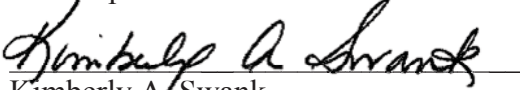
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Tiffany C. Peacock

Tiffany C. Peacock
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: 910-354-2545
Executed On: December 22, 2016

ORDER OF THE COURT

Considered and ordered this 27th day of December, 2016, and ordered filed and made a part of the records in the above case.


Kimberly A. Swank
U.S. Magistrate Judge